

Charter Amendments

Prepared by: Comptroller's Office
September 18, 2015

Revised Language**Combined Section 82 and 83- Payment of Claims against the City**

All invoices, bills and claims for payment shall be properly approved by the employee or officer designated by the Mayor or by an independent department head or designee and submitted to the Chief Financial Officer for review and payment. The Chief Financial Officer shall ensure that proper controls exist in all city departments to support accurate and timely disbursements of city funds.

The Chief Financial Officer shall make no payment unless she/he has determined that it has been properly approved, is in proper form, correctly computed, legally due and payable, that an appropriation for such payment is available and that there is money in the treasury to make such payment. Payments for salaries of officers and employees shall be made regularly from the treasury without the necessity of review and approval prescribed for other payments. Claims against the City shall be paid in any acceptable form of payment authorized under the provisions of the Government Code.

Original Language**Section 82: Examination and Investigation of Claims by the Auditor and Comptroller**

The Auditor and Comptroller shall examine all payrolls, bills, and other claims and demands, except claims for damages against the City, and shall issue no warrant or check-warrant for payment unless he finds that the claim is in proper form, correctly computed, and duly approved; that it is legally due and payable; that an appropriation has been made therefor which has not been exhausted; and that there is money in the treasury to make payment. He may investigate a claim and for that purpose may summon before him any officer, agent or employee of the City, any claimant or other person, and examine him upon oath or affirmation relative thereto, and if he finds a claim to be fraudulent, erroneous or otherwise invalid, he shall not issue a warrant or check-warrant therefor. If the Auditor and Comptroller issue a warrant or check-warrant on the treasury authorizing payment of any claim in contravention of the provisions of this Section, he and his sureties shall be jointly and severally liable to the City for the amount of such warrant or check-warrant if paid. All payrolls, bills and other claims and demands under the provisions of this section may be paid by warrants or check-warrants as authorized by the provisions of Section 53911 of the Government Code of the State of California.

(Amendment voted 09-17-1963; effective 02-11-1964.)

(Effective 07-08-2008, the authority, power, and responsibilities conferred upon the Auditor and Comptroller by this Charter were transferred to the Chief Financial Officer. See section 39.)

Section 83: Payment of Claims Against the City

No claim against the City shall be paid except by means of a check-warrant authorized under the provisions of Section 53911 of the Government Code or a warrant on the treasury issued by the Auditor and Comptroller. The Auditor and Comptroller shall issue no warrant or check-warrant for the payment of a claim unless the claim be evidenced by voucher approved by the head of the Department or office for which the indebtedness was incurred, and each such officer and his surety shall be liable to the City for all loss or damage sustained by reason of his negligence or corrupt approval of any claim. No demand shall be allowed, approved, audited, or paid unless it shall specify each item of the claim and the date thereof; provided, however, that warrants or check-warrants for salaries of officers and employees shall be allowed by the Auditor and Comptroller and paid regularly from the treasury without the necessity of any demand therefor or approval thereof as in this section prescribed for other claims.